

Interview Summary

Application No.

09/743,684

Applicant(s)

GILL, PARKASH S.

Examiner

Anne L. Holleran

Art Unit

1643

All participants (applicant, applicant's representative, PTO personnel):

(1) Anne L. Holleran.

(3) _____

(2) Jenny Luo.

(4) _____

Date of Interview: 01 October 2007.

Type: a) ☒ Telephonic b) ☐ Video Conference
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☐ No.

If Yes, brief description: _____

Claim(s) discussed: _____

Identification of prior art discussed: _____

Agreement with respect to the claims f) ☐ was reached. g) ☐ was not reached. h) ☒ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Left message for applicant's representative that claims in condition for allowance.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

Examiner's signature, if required

Summary of Record of Interview Requirements

Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews

Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

37 CFR §1.2 Business to be transacted in writing.

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,
(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

Amendments to the claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of claims:

1-5. (CANCELED)

6. (Previously Presented) The isolated polypeptide of claim 11, wherein said polypeptide specifically binds to an antibody raised against Saposin B.

7. (Previously Presented) An isolated polypeptide consisting of an amino acid sequence which is a part of SEQ ID NO:2 wherein said polypeptide begins with amino acids 2-6 (DVCQD) of SEQ ID NO:2, wherein the polypeptide has antiangiogenic activity, and wherein the polypeptide is between 5 and 80 amino acids in length.

8-9. (CANCELED)

10. (Previously Presented) The isolated polypeptide of claim 11, wherein said polypeptide is glycosylated.

11. (Currently Amended) An isolated polypeptide consisting of the sequence R-XDVCQD-R' (SEQ ID NO:45), wherein the polypeptide has antiangiogenic activity, and wherein:

R is selected from the group consisting of Aa₁-Aa₂-Aa₃-Aa₄-Aa₅, Aa₂-Aa₃-Aa₄-Aa₅, Aa₃-Aa₄-Aa₅, Aa₄-Aa₅ and Aa₅, or is absent, wherein:

Aa₁ is glutamine;

Aa₂ is proline;

Aa₃ is lysine;

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Aa₄ is aspartic acid; ~~or~~ and

Aa₅ is asparagine; and,

X is selected from the group consisting of glycine, alanine, serine and threonine, or is absent when R is absent; and,

R' is from 0 to about 59 contiguous amino acids.

12-16. (CANCELED)

17. (Previously Presented) The isolated polypeptide of claim 11, wherein R' is selected from the group consisting of Aa₁₂-Aa₁₃-Aa₁₄-Aa₁₅-Aa₁₆, Aa₁₂-Aa₁₃-Aa₁₄-Aa₁₅, Aa₁₂-Aa₁₃-Aa₁₄, Aa₁₂-Aa₁₃ and Aa₁₂, wherein Aa₁₂, Aa₁₃, Aa₁₄, Aa₁₅ and Aa₁₆ are selected from the group consisting of amino acids.

18. (Previously Presented) The isolated polypeptide of claim 17, wherein Aa₁₂ is a cysteine.

19. (Previously Presented) The isolated polypeptide of claim 17, wherein Aa₁₃ is an isoleucine.

20. (Previously Presented) The isolated polypeptide of claim 17, wherein Aa₁₄ is a glutamine.

21. (Previously Presented) The isolated polypeptide of claim 17, wherein Aa₁₅ is a methionine.

22. (Previously Presented) The isolated polypeptide of claim 17, wherein Aa₁₆ is a valine.

23-28. (CANCELED)

29. (Previously Presented) A method of treating a mammal, wherein said mammal has a pathological condition associated with undesired angiogenesis, by administering an amount of the isolated polypeptide of claim 11 wherein said amount of polypeptide is effective to reduce angiogenesis.

30. (Previously Presented) The method of claim 29, wherein the mammal is human.

31. (Previously Presented) The method of claim 29, wherein said pathological condition is cancer.

32. (Previously Presented) The method of claim 31, wherein said cancer is Kaposi's Sarcoma.

33. (Previously Presented) The method of claim 29, wherein administration is selected from the group consisting of subcutaneous, intramuscular, intravenous, intra-arterial, intrabronchial, oral, transdermal, intraocular, rectal, vaginal, intranasal, sublingual and intralesional.

34. (Previously Presented) The method of claim 33, wherein the administration is selected from the group consisting of intralesional and transdermal.

35. (CANCELED)

36. (Previously Presented) The method of claim 29, wherein said therapeutic amount is from about 0.1 mg/kg to about 20 mg/kg.

37. (Previously Presented) A pharmaceutical composition in unit dosage form, comprising:

- (a) one or more pharmaceutically acceptable excipients, and
- (b) an amount of the isolated polypeptide of claim 11, wherein the polypeptide is effective to treat or prevent undesired angiogenesis in an animal or patient to whom one or more unit doses of said composition are administered.

38. (Previously Presented) The pharmaceutical composition of claim 37, wherein said unit dosage form is an aseptic solution comprising said polypeptide.

39. (Previously Presented) The pharmaceutical composition of claim 37, wherein said unit dosage form is a topical ointment comprising said polypeptide.

40. (Previously Presented) An isolated fusion protein, said fusion protein comprising the isolated polypeptide of claim 11 and a cell targeting moiety, wherein said cell targeting moiety and said polypeptide have functional activity independent of each other.

41. (Previously Presented) The isolated fusion protein of claim 40, wherein said cell targeting moiety is a protein.

42. (Previously Presented) The isolated fusion protein of claim 41, wherein said protein is an antibody.

43. (Previously Presented) The isolated fusion protein of claim 42, wherein said antibody is a monoclonal antibody.

44. (Previously Presented) The isolated fusion protein of claim 43, wherein said antibody is a single chain Fv antibody.

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45-54. (CANCELED)

55. (Currently Amended) The An isolated polypeptide ~~of claim 11,~~
consisting of the amino acid sequence of SEQ ID NO:13, 19, 21, 24, 25, 26, ~~or 27,~~ or
33.